
OLR Bill Analysis

sHB 5447

AN ACT CONCERNING AQUATIC ANIMALS AS FOOD AND THE TAKING OF SCALLOPS FROM THE NIAN TIC RIVER.

SUMMARY:

This bill requires the agriculture commissioner to adopt regulations for licensing and inspecting aquaculture facilities that cultivate, process, and supply aquatic animals for human consumption.

The bill increases, from two to two-and-a-half inches, the minimum size of scallops that a person can take from the Niantic River. It allows the Waterford-East Lyme shellfish commission to increase or decrease the daily limit of scallops a person can take, rather than just increase it.

The bill also makes technical changes.

EFFECTIVE DATE: July 1, 2012, except for the provision requiring the agriculture commissioner to adopt regulations, which is effective October 1, 2012.

REGULATIONS REGARDING AQUACULTURE FACILITIES

The bill requires the commissioner's regulations to promote compliance with principles, practices, and generally recognized standards that protect public health. The regulations must include:

1. (a) minimum qualifications for aquaculture facilities and (b) license application and renewal procedures;
2. processing and inspection standards for aquaculture facilities, including compliance with federal law;
3. designating compliant facilities as an "approved food source" for households, restaurants, hotels, and other residential facilities; and

4. the commissioner's oversight of aquaculture facilities.

Under the bill, "aquaculture" is the controlled rearing, cultivating, and harvesting of aquatic animals in land- or marine-based culture systems, tanks, containers, impoundments, floating or submerged nets or pens, and ponds. "Aquatic animals" are fresh or saltwater finfish, crustaceans, and other aquatic life forms, including alligator, frog, turtle, jellyfish, sea cucumber, sea urchins, their roe, and mollusks, that are intended for human consumption.

NIANTIC RIVER SCALLOPS

By law, the Waterford-East Lyme shellfish commission may regulate the taking of scallops, clams, and oysters from the Niantic River.

Current law prohibits taking (1) any scallop that passes through a two-inch ring or (2) more than three bushels of scallops a day. But the commission may increase the daily limit after it has been in place for 30 days. The bill instead prohibits taking any scallop that passes through a two-and-a-half-inch ring, thereby increasing the minimum size of scallops that a person may take. It maintains the three-bushel limit, but the commission may increase or decrease it after 30 days.

By law, a violator is subject to a fine of up to \$200, imprisonment of up to 10 days, or both. Upon conviction, the court may order that the violator cannot hold a permit or license to take shellfish in the Niantic River until the second season following the conviction.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 29 Nay 0 (03/23/2012)